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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/669,759

09/24/2003

David J. Steele

2002-IP-006716 U1 USA

4382

20558

7590

11/13/2006

EXAMINER

THOMPSON, KENNETH L

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660 NORTH CENTRAL EXPRESSWAY  
SUITE 230  
PLANO, TX 75074

ART UNIT

PAPER NUMBER

3672

DATE MAILED: 11/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/669,759

Applicant(s)

STEELE, DAVID J.

Examiner

Kenneth Thompson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 09 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-27, 29-39 and 41-47 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 22-27, 29-32 and 36-39 is/are allowed.
- 6) ☒ Claim(s) 1-3, 11, 14-19, 33, 41-43, 46 and 47 is/are rejected.
- 7) ☒ Claim(s) 4-10, 12, 13, 20, 21, 34, 35, 44 and 45 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

The indicated allowability of claims 1-3, 11, 14-19, 41-43, 46 and 47 is withdrawn in view of the newly discovered reference(s) to Hickey, U.S. 6,266,465 and Malone, U.S. 5,941,308. Rejections based on the newly cited reference(s) follow.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Hickey, U.S. 6,266,465.

Hickey discloses in figure 1 a wellbore junction (col. 2, lines 7-11) having longitudinally extending branches or bores (10,12) at a web or junction (30) and a casing (32); wherein the casing and junction are configured to resist 10,000 psi (col. 3, lines 7-15).

Claims 11, 14-19, 41-43, 46 and 47 are rejected under 35 U.S.C. 102(b) as being anticipated by Malone, U.S. 5,941,308.

Regarding claims 11 and 14-19, Malone discloses in figure 2 a segregator (30) junction having a first portion connectable to a drill pipe (col. 6, lines 6-9) and a sealingly

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(40) connected to a conduit (24); the junction having first (37) second (38) and third (39) bores in communication with the conduit. Below the first portion, Malone discloses a second portion between a pair of seals (40, 41) having the second (38) and third (39) bore and a lateral exit and deflector (21) of the first (37) bore. Below the second portion, Malone discloses a third portion between a pair of seals (41, 42) having the third bore (39), substantially parallel to the conduit (24), and a lateral exit and deflector (22) of the second bore (38).

Regarding claims 41-43, 46 and 47, Malone discloses a wellbore segregator junction (30) having first, second and third bores (37-39) positioned in an under reamed cavity (15) of a fourth vertical wellbore (10) having first, second and third (L-1, L-2, L-3) casing strings sealing (col. 5, lines 13-46) disposed in first second and third lateral wellbores (25-27). Malone discloses a fourth tubular string (16, 24) in communication with the bores of the junction

Claims 33 are rejected under 35 U.S.C. 102(b) as being anticipated by Gardes U.S. 5,680,901.

Gardes discloses in a plurality of wellbore junction assemblies (10), each having a first (73) isolated bore and a plurality of second, third and fourth (40) bores in communication across junctions (col. 7, lines 1-10).

***Allowable Subject Matter***

Claims 22-27, 29-32 and 36-39 are allowed.

Claims 4-10, 12-13, 20, 21, 34, 35, 44 and 45 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

The prior art of record does not disclose or suggest all the claimed subject matter including the wellbore junction pressure rating and connected tubing strings.

The prior art of record does not disclose or suggest all the claimed subject matter including the wellbore junction pressure rating and radial bore spacing.

The prior art of record does not disclose or suggest all the claimed subject matter including wellbore junction pressure rating the plurality of junctions.

The prior art of record does not disclose or suggest all the claimed subject matter including the plurality of junctions and an under reamed cavity.

The prior art of record does not disclose or suggest all the claimed subject matter including the plurality of junctions and connected tubing strings.

***Response to Arguments***

Applicant's arguments with respect to claims 46 and 47 have been considered but are moot in view of the new ground(s) of rejection.

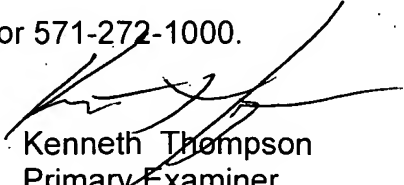
**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth Thompson whose telephone number is 571 272-7037. The examiner can normally be reached on 7:00 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David J. Bagnell can be reached on 571-272-6999. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

7 November 2006



Kenneth Thompson  
Primary Examiner  
Art Unit 3672